

I am writing to voice my concerns about the proposed Broadcast Flag. I use technology and creative content in many different fully legal ways not provided for by the creator of the content. I store all of my music on my computer, which allows me to listen to it through a special stereo component, conveniently take much of my collection with me to work, or easily transfer it to a portable player. I transfer recorded television shows to my computer where it is sometimes more convenient for me to watch. I can take these programs with me either on tape or on my computer to a friend's house to watch there. I can insert short clips of these shows into personal DVDs, or send a clip over the internet to a friend to introduce them to a new series that I'm watching. The Broadcast Flag seems to be an attempt to take these choices away from me, and make the content producers the arbiters of what legal activities should be allowed or disallowed.

This is even more important in the current technology market, where the options available to consumers advance and expand rapidly. The creators of a television show in the 1980's could not have imagined a professor offering short clips of it on a university website for his/her students. Likewise, today's content producers cannot anticipate all of the future legal uses of their work. A technology such as the Broadcast Flag cannot judge the legality of a particular use as a human being can. It is destined to lock out future innovative uses that would otherwise have become commonplace.

I am a law-abiding consumer who believes that piracy should be prevented and prosecuted. However, if theoretical prevention comes at the cost of prohibiting me from making legal, personal use of my content, then the FCC should be working to protect all consumers rather than enable those who would restrict consumer rights. In the case of the broadcast flag, it seems that it will have little effect on piracy. With file-sharing networks, a TV program has only to be cracked once, and it will propagate rapidly across the Internet. So, while I may be required to purchase consumer electronic devices that cost more and allow me to do less, piracy will not be diminished.

In closing, I urge you to require the content industry to demonstrate that its proposed technologies will allow for all legal uses and will actually achieve the stated goal of preventing piracy. If they cannot, I urge you not to mandate the broadcast flag.